

S/N 09/077,572

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael A. Apicella et al.

Examiner: S. Devi

Serial No.: 09/077,572

Group Art Unit: 1641

Filed: October 13, 1998

Docket: 875.001US2

Title: NON-TOXIC MUTANTS OF PATHOGENIC GRAM-NEGATIVE BACTERIA

**NOTICE OF APPEAL FROM THE DECISION OF THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

BOX AF

Commissioner for Patents
Washington, D.C. 20231

In compliance with 37 C.F.R. § 1.191, Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated January 4, 2000, of the Examiner rejecting claims 22-26 and 29-31 of the above-identified patent application.

A request for an extension of time to respond to the Examiner's rejection is submitted herewith along with payment of the required extension fee.

Our check in the amount of \$300.00 is enclosed to pay the Notice of Appeal fee under 37 C.F.R. § 1.17(b). Please charge any required additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

MICHAEL A. APICELLA ET AL.

By Applicants' Attorneys,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6961

Date

30 Jun 2000

By

Ann S. Viksnins
Reg. No. 37,748

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to BOX AF, Commissioner of Patents, Washington, D.C. 20231 on June 30, 2000.

Name

Ann S. Viksnins

Signature

Ann S. Viksnins

07/13/2000 VWRH11 00000042 09077572 300.00 DP 02 FC:119